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PATENT

ATTORNEY DOCKET NO. 07039/129001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jens Ponikau
Serial No.: 09/177,273
Filed : October 22, 1998
Title : METHODS AND MATERIALS FOR TREATING AND PREVENTING
INFLAMMATION OF MUCOSAL TISSUE

Art Unit: 1614

Examiner:

Assistant Commissioner for Patents
Washington, DC 20231

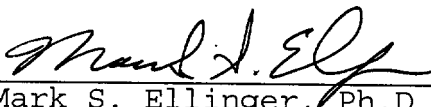
TRANSMITTAL OF DECLARATION OF SMALL ENTITY STATUS AND
REQUEST FOR REFUND

Enclosed is a copy of a Declaration of Small Entity
Status which shows that Applicant is a nonprofit organization.

Applicant hereby requests refund of \$ 848.00, one half
of the total filing fee submitted with the above application less
than two months before the date of this request. Please credit
the refund to Deposit Account No. 06-1050.

Respectfully submitted,

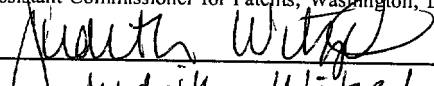
Date: December 17, 1998


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19352.M11

Date of Deposit 12/17/98
I hereby certify under 37 CFR 1.8(a) that this correspondence is being
deposited with the United States Postal Service as **first class mail**
with sufficient postage on the date indicated above and is addressed to
the Assistant Commissioner for Patents, Washington, D.C. 20231.

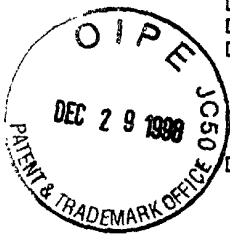

Judith Witel

Applicant or Patentee: Jens Ponikau
 Serial or Patent No.: 09/177,273
 Filed or Issued: October 22, 1998
 For: METHODS AND MATERIALS FOR TREATING AND PREVENTING INFLAMMATION OF MUCOSAL TISSUE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
 (37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: Mayo Foundation for Medical Education and Research
 Address of Organization: 200 First Street SW, Rochester, MN 55905
 Type of Organization:



- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
 (NAME OF STATE:)
 (CITATION OF STATUTE:)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF
 LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF THE UNITED STATES OF
 AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
 (NAME OF STATE:)
 (CITATION OF STATUTE:)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled METHODS AND MATERIALS FOR TREATING AND PREVENTING INFLAMMATION OF MUCOSAL TISSUE by inventor Jens Ponikau described in

- ☐ the specification filed herewith.
☒ application serial no. 09/177,273, filed October 22, 1998.
☐ patent no. , issued .

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Full Name: _____

Address: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status when any new rule 53 application is filed or prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name: Rick F. Colvin

Title: Assistant Treasurer

Address: 200 First Street SW, Rochester, MN 55905

Signature: Rick F. Colvin Date: 12/11/98